

TRACI L. LACOCK, #6-4009

Hirst Applegate, LLP
P.O. Box 1083
Cheyenne, WY 82003-1083
Phone: (307) 632-0541
Fax: (307) 632-4999
tlacock@hirstapplegate.com

Admitted Pro Hac Vice:

BRIAN C. FRIES (MO # 40830)
MARA H. COHARA (MO # 51051)
Lathrop GPM LLP
2345 Grand Blvd., Ste. 2200
Kansas City, MO 64108
Phone: (816) 292-2000
Fax: (816) 292-2001
brian.fries@lathropgpm.com
mara.cohara@lathropgpm.com

*Attorneys for Defendants Monks of the Most Blessed Virgin Mary
of Mount Carmel d/b/a Mystic Monk Coffee and Daniel Schneider*

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

CARLIE SHERMAN, ANNA GOZUN,)
AMANDA NASH, ANDREW SCAVUZZO, and)
EHAN JELINEK on behalf of themselves and all)
similarly situated persons,)
Plaintiffs,)
vs.)
TRINITY TEEN SOLUTIONS, INC., a)
Wyoming corporation; TRIANGLE CROSS)
RANCH, LLC, a Wyoming limited liability)
corporation; MONKS OF THE MOST)
BLESSED VIRGIN MARY OF MOUNT)
CARMEL, d/b/a MYSTIC MONK COFFEE, a)
Wyoming corporation; GERALD E.)

SCHNEIDER; MICHAELLEEN P.)
SCHNEIDER; ANGELA C. WOODWARD;)
JERRY D. WOODWARD; DANIEL)
SCHNEIDER; MATHEW SCHNEIDER;)
MARK SCHNEIDER; KARA WOODWARD;)
KYLE WOODWARD; THOMAS GEORGE;)
JUDITH D. JEFFERIS; DALLY-UP, LLC, a)
Wyoming limited liability corporation; ROCK)
CREEK RANCH, INC., a Delaware corporation;)
DIOCESE OF CHEYENNE, a Wyoming)
corporation; the **SOCIETY OF OUR LADY OF**)
THE MOST HOLY TRINITY, a Texas)
corporation; and **NEW MOUNT CARMEL**)
FOUNDATION, INC., a Wyoming corporation,)
Defendants.)

**DEFENDANTS MONKS OF THE MOST BLESSED VIRGIN MARY OF MOUNT
CARMEL, D/B/A MYSTIC MONK COFFEE AND DANIEL SCHNEIDER'S
MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT**

Defendants Monks of the Most Blessed Virgin Mary of Mount Carmel, d/b/a Mystic Monk Coffee and Daniel Schneider (collectively, the "Monk Defendants"), by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 12(b)(6), move the Court to dismiss Plaintiffs' First Amended Complaint as it pertains to the Monk Defendants for failure to state a claim upon which relief can be granted. In support of this Motion, the Monk Defendants hereby incorporate their contemporaneously filed Brief in Support of this Motion pursuant to Local Rule 7.1(b)(2)(A).

Dated: 26 March 2021.

MONKS OF THE MOST BLESSED VIRGIN
MARY OF MOUNT CARMEL, a Wyoming
corporation, d/b/a Mystic Monk Coffee, and
DANIEL SCHNEIDER, Defendants

BY:


TRACI L. LACOCK, #6-4009

OF HIRST APPLEGATE, LLP
Attorneys for Above-Named Defendants
P.O. Box 1083
Cheyenne, WY 82003-1083
Phone: (307) 632-0541
Fax: (307) 632-4999
tlacock@hirstapplegate.com

Admitted Pro Hac Vice:

BRIAN C. FRIES (MO # 40830)
MARA H. COHARA (MO # 51051)
Lathrop GPM LLP
2345 Grand Blvd., Ste. 2200
Kansas City, MO 64108
Phone: (816) 292-2000
Fax: (816) 292-2001
brian.fries@lathropgpm.com
mara.cohara@lathropgpm.com

CERTIFICATE OF SERVICE

I certify the foregoing *Defendants Monks of the Most Blessed Virgin Mary of Mount Carmel, D/B/A Mystic Monk Coffee and Daniel Schneider's Motion to Dismiss Plaintiffs' First Amended Complaint* was served upon all parties to this action pursuant to the Federal Rules of Civil Procedure on 26 March 2021, and that copies were served as follows:

Michael B. Rosenthal
Nathan A. Nicholas
Hathaway & Kunz, LLP
P. O. Box 1208
Cheyenne, WY 82003-1208
mike@hkwyolaw.com
nnicholas@hkwyolaw.com
Attorneys for Plaintiffs

- U.S. MAIL
- FED EX
- FAX
- HAND DELIVERED
- EMAIL
- E-FILE

Brice M. Timmons
Bryce Ashby
Craig Edgington
Donati Law, PLLC
1545 Union Ave.
Memphis, TN 38104
brice@donatilaw.com
bryce@donatilaw.com
craig@donatilaw.com
Attorneys for Plaintiffs

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

Frank L. Watson, III
Watson Burns, PLLC
253 Adams Avenue
Memphis, TN 38104
fwatson@watsonburns.com
Attorney for Plaintiffs

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

Lillian Alves
Thomas B. Quinn
Gordon & Rees LLP
555 Seventeenth Street, Suite 3400
Denver, CO 80202
lalves@grsm.com
tquinn@gordonrees.com
Attorneys for Defendants
Trinity Teen Solutions Inc.,
Angela C. Woodward,
Jerry D. Woodward,
Kara Woodward,
Kyle Woodward,
Dally-Up LLC

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

Keith R. Olivera
Monty L. Barnett
Rachel E. Ryckman
John C. Matthews
White & Steele P.C.
Dominion Towers, North Tower
600 17th Street, Suite 600N
Denver, CO 80202-5406
kolivera@wsteele.com
mbarnett@wsteele.com
rryckman@wsteele.com
jmatthews@wsteele.com
Attorneys for Defendants
Triangle Cross Ranch LLC,
Gerald E. Schneider,
Michaeleen P. Schneider,
Mathew Schneider,
Mark Schneider,
Thomas George

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

Paul J. Hickey
Loyd E. Smith
Hickey & Evans LLP
1800 Carey Avenue, Suite 700
P. O. Box 467
Cheyenne, WY 82003-0467
phickey@hickeyevans.com
lsmith@hickeyevans.com
Attorneys for Defendant
Diocese of Cheyenne

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

Jane M. France
Sundahl, Powers, Kapp & Martin
P. O. Box 328
Cheyenne, WY 82003-0328
jfrance@spkm.org
Attorney for Defendant
Society of Our Lady of the Most Holy Trinity

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

Patrick J. Sodoro
MaKenna J. Stoakes
Sodoro Mooney & Lenaghan
13924 Gold Cir.
Omaha, NE 68144
psodoro@smllawoffice.com
mstoakes@smllawoffice.com
Attorneys for Defendant
Society of Our Lady of the Most Holy Trinity

Rick L. Koehmstedt
Schwartz, Bon, Walker & Studer
141 South Center Street, Suite 500
Casper, WY 82601
rick@schwartzbon.com
Attorneys for Defendant
New Mount Carmel Foundation Inc.

Patricia K. Buchanan
Patterson Buchanan Fobes & Leitch
1000 2nd Ave. - Ste 30th Floor
Seattle, WA 98104
pkb@pattersonbuchanan.com
Attorney for Defendant
New Mount Carmel Foundation Inc.

Zenith S. Ward
Buchhammer & Ward, P.C.
1821 Logan Avenue
P. O. Box 568
Cheyenne, WY 82003-0568
zsw@wyoming.com
Attorney for Defendant
Judith D. Jefferis
Rock Creek Ranch, Inc.

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE

U.S. MAIL
 FED EX
 FAX
 HAND DELIVERED
 EMAIL
 E-FILE



OF HIRST APPLEGATE, LLP
Attorneys for Above-Named Defendants